

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CCO-00 CIAE-00 OTPE-00 FCC-01

INR-07 NSAE-00 OC-05 USIA-06 COME-00 BIB-01 OIC-02

SS-15 NSC-05 L-03 DODE-00 DOTE-00 FMC-01 CG-00 OFA-01

DLOS-04 ACDA-05 PM-04 NASA-01 OES-03 OMB-01 TRSE-00

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R 231244Z FEB 76

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 9210

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E.O. 11652: N/A

TAGS: PORG, ETEL, IMCO

SUBJ: INMARSAT CONFERENCE, SECOND SESSION: DAY 9

REF: LONDON 2685

SUMMARY. COMMITTEE I AND II CONTINUED DELIBERATIONS THURSDAY. COMMITTEE I DEALT WITH FINAL ARTICLES OF CONVENTION AND BEGAN RETURNING TO DEFERRED ARTICLES. COMMITTEE II ENGAGED IN SEVERAL HOURS INCONCLUSIVE DEBATE ON INITIAL INVESTMENT SHARES. COMMITTEE ON INTERIM ARRANGEMENTS REPORTED SEPTEL. END SUMMARY

L. COMMITTEE I:

A. ART 39. ENTRY INTO FORCE. PASSED AS IN ISWG TEXT. CONVENTION WILL ENTER INTO FORCE 60 DAYS AFTER PERCENTAGE OF INITIAL INVESTMENT SHARES (TO BE DECIDED BY COM II) AND WILL NOT ENTER INTO FORCE IF NOT ENTERED INTO FORCE 36 MONTHS AFTER OPENED FOR SIGNATURE.

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B. ART 40 ON TERRITORIAL EXTENSION DELETED

WITHOUT VOTE.

C. ART 41 ON AMENDMENTS ADOPTED AS IN MAJORITY TEXT IN ISWG DRAFT WITH DEFEAT USSR PROPOSAL TO HAVE AMENDMENTS BINDING ON ALL PARTIES ONLY WITH RESPECT TO FINANCIAL, TEAHNICAL AND OPERATIONAL PROVISIONS BY VOTE OF 8-21(US)-11.

D. ART 40 ON IMCO SECRETARY GENERAL AS DEPOSITORY ADOPTED AS IN ISWG TEXT.

E. ART 43, LANGUAGE, APPROVED WITH IRAQ PROPOSAL (WHICH ADOPTED 18-7-13(US)) TO MAKE ARABIC AN OFFICIAL LANGUAGE AND DRANCE' SPAIN, AND USSR PROPOSAL TO MAKE ENGLISH, FRENAH, RUSSIAN, AND SPANISH OFFICIAL AND WORKING LANGUAGES OF THE ORGANIZATION. FINAL ROLL-CALL VOTE ON LATTER WAS 25-15(US)-1.

F. ART 6 BIS WAS AMENDED WITH ADDITION OF COMPRO-MISE WORDING WORKED OUT BY US AND USSR (THE ORGANIZATION SHALL OPERATE ON A SOUND ECONOMIC AND FINANCIAL BASIS, HAVING REGARD TO ACCEPTED COMMERCIAL PRINCIPLES) AND TITLE OF ARTIALE CHANGED TO "OPERATIONAL AND FINANCIAL PRINCIPLES." VOTE WAS 31(US)-1-8.

G. ART 29. COMMITTEE ACCEPTED ENTIRE US PROPOSAL ON INVENTIONS AND TECHNICAL INFORMATION ACCORDING MINIMUM RIGHTS TO THE ORGANIZATION AND MAKING EXERCISE OF RIGHTS UNDER THE ARTICLE SUBJECT TO APPLICABLE NATIONAL LAWS AND REGULATION.

H. PREAMBLE AND ARTICLE I OF OPERATING AGREEMENT ADOPTED WITHOUT VOTE. ARTICLE II AMENDED WITHOUT VOTE TO DELETE WORDS "AND THE DECISIONS OF THE COMPETENT ORGANS OF THE ORGANIZATION" AND THEN ADOPTED.

2. COMMITTEE II.

A. SHORT DISCUSSION OF NEED TO FILL IN SQUARE BRACKET IN ART 39 OF CONVENTION (ENTRY INTO FORCE) LIMITED OFFICIAL USE

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TO INDICATE PERCENTAGE OF INVESTMENT SHARES REPRESENTED AMONG PARTIES NECESSARY FOR AGREEMENT TO ENTER INTO FORCE LED QUICKLY TO DEBATE OF UNDERLYING BASIC ISSUE OF INITIAL INTESTMENT SHARES. THREE MAIN THEMES (1) WHETHER OP NOT THERE IS NEED TO ACHIEVE 100 PERCENT OF INVESTMENT SHARES BEFORE CONFERENCE CLOSES; (2) POSSIBLE APPLICATION OF "LOADING FACTORS" TO INITIAL SHARES PRESENTLY INDICATED IN WP-7 (TOTAL 78 PERCENT)

TO RAISE THESE TO 100 PERCENT; AND (3) IF, IN FACT AN ANNEX, AS MENTIONED IN ART 39, IS REQUIRED TO COMPLETE THE AGREEMENT.

B. THE LAST QUESTION ABOVE, THE NEED FOR AN ANNEX. WAS SETTLED CMNCLUSIVELY BY SHOW OF HANDS IN WHICH SOME 80 PERCENT OF DELEGATIONS AGREED ON NEED. SEVERAL HOURS OF DEBATE ON VARIOUS APPROACHES AND FORMULAE

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TO MAKE UP "SHORT FALL" ON INITIAL SHARES FROM 78 PERCENT NOW INDICATED TO 100 PERCENT NEEDED PROVED INCONCLUSIVE. SEVERAL DELS (INCLUDING USSR) FAVORED APPLICATION OF "LOADING FACTOR" TO 78 PERCENT FIGURE (FACTOR 1.28) TO BRING IT UP TO 100 PERCENT. MANY OTHERS, INCLUDING US' OBJECTED TO THIS SINCE IT WOULD INCREASE THEIR PERCENT SHARE ABOVE THAT FOUND ACCEPTABLE TO THEM. IN US CASE INITIAL SHARE WOULD GO TO 19.2 PERCENT UNDER SUCH AN ARRANGEMENT.

C. COMMITTEE ACCEPTED PROPOSAL BY UK TO SET UP
AD HOC GROUP TO CONSIDER VARIOUS FORMULAE BASED ON
MARSAT/CONF 13/ANNEX V TABLE I AND WP-7 INDICATIONS OF
SHARES. BEFORE AD HOC GROUP LEFT TO BEGIN DELIBERATIONS,
US DEL MADE DETAILED STATEMENT POINTING OUT US COULD
NOT ACCEPT LONG TERM FORMULAE AS BASIS FOR INITIAL
SHARE DETERMINATION. ALSO RECALLED THAT US HAD INDICATED
ITS WILLINGNESS TO ACCEPT 15 PERCENT INITIAL SHARE
BASED ON CONDITION THAT REMAINDER OF SHARES WERE
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SUBSCRIBED TO BY OTHERS. US DEL STATED US NOT WILLING
TO HAVE LOADING FACTOR APPLIED TO ITS 15 PERCENT NOR
WOULD IT ACCEPT INCREASE IN 15 PERCENT INDICATION IT
HAD ALREADY MADE.

D. COMMITTEE II TO CONTINUE DISCUSSION OF INITIAL
SHARES FEB. 23.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COMMUNICATION SATELLITES, MEETING REPORTS, COMMITTEE MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 FEB 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976LONDON02777
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760067-0141
From: LONDON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760224/aaaauiy.tel
Line Count: 194
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 LONDON 2685
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 12 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 MAY 2004 by ellisoob>; APPROVED <06 JUL 2004 by morefirh>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: INMARSAT CONFERENCE, SECOND SESSION: DAY 9
TAGS: PORC, ETEL, IMCO, INMARSAT
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006